



4000-01-U

DEPARTMENT OF EDUCATION

Applications for New Awards; Indian Education Discretionary Grants Programs--Native American Language (NAL@ED) Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for new awards for fiscal year (FY) 2017 for Indian Education Discretionary Grants Programs--NAL@ED Program, Catalog of Federal Domestic Assistance (CFDA) Number 84.415B.

DATES:

Applications Available: [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Notice of Intent to Apply: [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Transmittal of Applications: [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Intergovernmental Review: [INSERT DATE 105 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: John Cheek, U.S.

Department of Education, 400 Maryland Avenue, SW., room

3W207, Washington, DC 20202-6335. Telephone: (202) 401-0274 or by email: john.cheek@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purposes of the NAL@ED program are to:

(1) Support schools that use Native American and Alaska Native languages as the primary language of instruction;

(2) Maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act of 1990 (25 U.S.C. 2901 et seq.); and

(3) Support the Nation's First Peoples' efforts to maintain and revitalize their languages and cultures, and to improve educational opportunities and student outcomes within Native American and Alaska Native communities.

Background:

Section 6133 of the Elementary and Secondary Education Act (ESEA),¹ as amended by the Every Student Succeeds Act (ESSA), authorizes the NAL@ED program. The program provides discretionary grants to develop, maintain, improve, or expand programs that support elementary or secondary schools in using Native American and Alaska Native languages as the primary language of instruction. Section 6133 of the ESEA references the Native American Languages Act of 1990, in which Congress recognized the fundamental importance of preserving Native American languages. The Native American Languages Act of 1990 states that it is the policy of the United States to "preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages," as well as "to encourage and support the use of Native American languages as a medium of instruction in order to encourage and support--

- (A) Native American language survival,
- (B) Educational opportunity,
- (C) Increased student success and performance,
- (D) Increased student awareness and knowledge of their culture and history, and

¹ Unless otherwise indicated, all references to the ESEA are to the ESEA, as amended by the ESSA.

(E) Increased student and community pride.”

(25 U.S.C. 2903.)

This Federal policy is supported by growing recognition of the importance of Native language use and preservation in facilitating educational success and other positive outcomes for Native students, including student well-being as reflected in the invitational priority for this competition.

The Native Language Shift and Retention study, funded through an Institute of Education Sciences grant, found that the majority of Native youth surveyed valued their Native language, viewed it as integral to their sense of self, wanted to learn it, and viewed it as a means of facilitating their success in school and life.² Collaborative efforts between educators, families, and communities, the study suggests, may be especially promising ways to ensure that all Native students have the critical opportunity to learn their Native language.

Indian students and tribal communities have made progress in reinvigorating efforts to preserve and restore Native languages and culture; building tribal capacity to

² Romero-Little, M.E., McCarty, T.L., Warhol, L., and Zepeda, O. (2007). Language policies in practice: Preliminary findings from a large-scale study of Native American language shift. TESOL Quarterly 41:3, 607-618.

shape and engage in the education of Native students; and raising awareness about school climate issues that are often unique to Indian students and communities, including issues related to student mental health and educator cultural competency. This new NAL@ED program builds on these efforts. The U.S. Department of Education (Department) held tribal consultations on this new NAL@ED program in 2016. In addition to four tribal consultations conducted in Indian country, the Department also held two interactive consultation webinars, which were attended by tribal school educators, tribal officials, representatives of Native American organizations, and others to obtain feedback on specific questions relating to the design of the grant program.

We learned through the consultations that tribes and interested Native Americans are very enthusiastic about the opportunity that the NAL@ED program presents. Nearly half of webinar participants favored having the program focus on instruction in the Native language and professional development, while about one-fourth favored a priority for projects that develop assessments in the Native language. Webinar participants were also interested in supporting projects in a variety of school settings, e.g., public schools, Bureau of Indian Education (BIE)-funded schools,

and tribally funded schools. The vast majority of participants favored allowing pre- and post-assessments of Native language proficiency to be in either oral or written format, and favored requiring a tribe as a partner in every project. Finally, webinar participants overwhelmingly supported the concept of long-term data collection in order to show the positive impact of instruction through Native languages.

The priorities and selection criteria for this competition reflect the input received through these tribal consultations. The absolute priorities reflect the input we received regarding the desire for diversity in the school settings for projects. The selection criteria reflect input regarding Native language instruction, professional development of staff, and long-term data collection.

Priorities: This competition contains two absolute priorities, two competitive preference priorities, and one invitational priority. We are establishing these priorities for the FY 2017 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1).

Absolute Priority: For FY 2017 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet one of these priorities. Under this competition, each absolute priority constitutes its own funding category. The Secretary intends to award grants under each absolute priority for which applications of sufficient quality are submitted. Applicants must choose one of the two absolute priorities, and must clearly identify the specific absolute priority that the proposed project addresses.

These priorities are:

Absolute Priority 1.

Projects that will take place in one or more schools of a State-funded local educational agency (LEA), including a public charter school that is an LEA under State law, and that will support Native American or Alaska Native language education and development, as well as provide professional development for teachers and, as appropriate, staff and administrators, to strengthen the overall language and academic goals of the school that will be served by the project.

Absolute Priority 2.

Projects that will take place in one or more schools funded by the BIE, an Indian tribe, a tribal college or university (TCU), an Alaska Native Regional Corporation (as described in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C.1602(g))), or a private, tribal, or Alaska Native nonprofit organization, and that will support Native American or Alaska Native language education and development, as well as provide professional development for teachers and, as appropriate, staff and administrators, to strengthen the overall language and academic goals of the school(s) that will be served by the project.

Competitive Preference Priorities: For FY 2017 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award five points to an application that meets either of the priorities and 10 points to an application that meets both of these priorities.

These priorities are:

Competitive Preference Priority 1 (0 or 5 points).

We will award five points to an application for a project in which either the lead applicant or a partner receives, or is eligible to receive, a formula grant under

title VI of the ESEA, and commits to use all or part of that formula grant to help sustain this project after conclusion of the grant period. To meet this priority, an applicant must include a statement that indicates the school year in which the entity will begin using title VI formula grant funds to help support this project; what percentage of the title VI grant will be used for this; and the timeline for obtaining parent committee input and approval of this action, if necessary.

Competitive Preference Priority 2 (0 or 5 points).

We will award five points to an application submitted by an Indian tribe, Indian organization, or TCU that is eligible to participate in the NAL@ED program. A consortium application of eligible entities that meets the requirements of 34 CFR 75.127 through 75.129 and includes an Indian tribe, Indian organization, or TCU will also be considered eligible to receive preference under this priority. In order to be considered a consortium application, the application must include the consortium agreement, signed by all parties.

Invitational Priority: For FY 2017 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an invitational priority. Under 34 CFR 75.105(c)(1) we do not

give an application that meets this invitational priority a competitive or absolute preference over other applications.

This priority is:

Projects that include a measure of student well-being, which may include mental health, as one of the project-specific objectives.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities, requirements, definitions, and selection criteria. Section 437(d)(1) of GEPA, however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program under section 6133 of the ESEA (20 U.S.C. 7453) and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on the priorities, requirements, definitions, and selection criteria under section 437(d)(1) of GEPA.

Application Requirements: (1) General requirements. The following requirements apply to all applications submitted

under this competition. An applicant must include in its application--

(a) A completed information form that includes:

(i) Instructional language. The name of the Native American or Alaska Native language to be used for instruction at the school(s) supported by the eligible entity.

(ii) Number of students. The number of students to be served by the project and the total number of students attending the school(s).

(iii) Grade level. Grade level(s) of targeted students in the proposed project.

(iv) Instructional hours. The number of hours of instruction per week in and through one or more Native American or Alaska Native languages currently being provided to targeted students at such school(s), if any.

(v) Pre- and post-assessments. Whether a pre- and post-assessment of Native language proficiency is available and, if not, whether grant funds will be used for developing such assessment.

(vi) Organizational information. For each school included in the project, information regarding the school's organizational governance or affiliations, specifically information about the school's governing entity (such as an

LEA, tribal educational agency or department, charter organization, private organization, or other governing entity); the school's accreditation status; any partnerships with institutions of higher education; and any indigenous language schooling and research cooperatives.

(vii) Program description. A description of how the eligible entity will: support Native language education and development, and provide professional development for staff, in order to strengthen the overall language and academic goals of the school(s) that will be served by the project; ensure the implementation of rigorous academic content that prepares all students for college and career; and ensure that students progress toward meeting high-level fluency goals in the Native language.

(b) An assurance that for each school to be included in the project--

(i) The school is engaged in meeting State or tribally designated long-term goals for students, as may be required by applicable Federal, State, or tribal law;

(ii) The school assesses students using the Native American or Alaska Native language of instruction, where possible;

(iii) The qualifications of all instructional and leadership personnel at such school are sufficient to

deliver high-quality education through the Native American or Alaska Native language used in the school; and

(iv) The school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or workforce development programs, of students who are enrolled in the school's programs.

(2) Certification. An applicant that is an LEA (including a public charter school that is an LEA), a school operated by the BIE, or a nontribal for-profit or nonprofit organization must submit a certification from an entity described in application requirement (2)(a), containing the assurances described in application requirement (2)(b).

(a) The certification must be from one of the following entities, on whose land the school or program is located, or that is an entity served by the school, or whose members (as defined by that entity) are served by the school:

(i) An Indian tribe or tribal organization.

(ii) A TCU.

(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

(iv) A Native Hawaiian organization.

(b) The certification must state that--

(i) The school or applicant organization has the capacity to provide education primarily through a Native American or an Alaska Native language; and

(ii) There are sufficient speakers of the target language at the school or available to be hired by the school or applicant organization.

(c) If the applicant is an LEA, the tribe also certifies that it has been consulted on the contents of this application as required under ESEA section 8538.

ISDEAA Statutory Hiring Preference:

(a) Awards that are primarily for the benefit of Indians are subject to the provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (ISDEAA) (Pub. L. 93-638). That section requires that, to the greatest extent feasible, a grantee--

(1) Give to Indians preferences and opportunities for training and employment in connection with the administration of the grant; and

(2) Give to Indian organizations and to Indian-owned economic enterprises, as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452(e)), preference in the award of contracts in connection with the

administration of the grant.

(b) For purposes of the ISDEAA statutory hiring preference only, an Indian is a member of any federally recognized Indian tribe.

Definitions: The following definitions apply to this competition. For the purposes of this competition, we establish the definitions for "elementary school," "Indian organization," "performance target," "secondary school," and "tribe," in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1). The definitions of "Native American" and "Native American language" are from sections 8101(34) and 6151(3) of the ESEA (20 U.S.C. 7801(34) and 7491(3)), and section 103 of the Native American Languages Act (25 U.S.C. 2902). The definition of "tribal college or university" is from section 6133 of the ESEA (20 U.S.C. 7453) and section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c). All other definitions are from 34 CFR 77.1.

Ambitious means promoting continued, meaningful improvement for program participants or for individuals or entities affected by the grant, or representing a significant advancement in the field of education research, practices, or methodologies. When used to describe a performance target, whether a performance target is

ambitious depends upon the context of the relevant performance measure and the baseline for that measure.

Baseline means the starting point from which performance is measured and targets are set.

Elementary school means, for State-funded public schools, a day or residential school that provides elementary education, as determined under State law. The term means, for tribally controlled schools, a day or residential school that provides elementary education as determined under tribal law. The definition of "elementary school" may include pre-kindergarten if included in the State or tribal definition of elementary education.

Indian organization means an organization that--

- (1) Is legally established--
 - (i) By tribal or inter-tribal charter or in accordance with State or tribal law; and
 - (ii) With appropriate constitution, by-laws, or articles of incorporation;
- (2) Includes in its purposes the promotion of the education of Indians;
- (3) Is controlled by a governing board, the majority of which is Indian;

(4) If located on an Indian reservation, operates with the sanction of or by charter from the governing body of that reservation;

(5) Is neither an organization or subdivision of, nor under the direct control of, any institution of higher education; and

(6) Is not an agency of State or local government.

Native American means: (1) "Indian" as defined in section 6151(3) of the ESEA (20 U.S.C. 7491(3)), which includes individuals who are Alaska Natives and members of federally recognized or State recognized tribes; (2) Native Hawaiian; or (3) Native American Pacific Islander.

Native American language means the historical, traditional languages spoken by Native Americans.

Performance measure means any quantitative indicator, statistic, or metric used to gauge program or project performance.

Performance target means the goal for the number and percentage of participants to meet each performance measure each period of the project and as a result of a project. The performance targets should increase for each project period with the goal that students progress toward high-level fluency in the Native language.

Secondary school means a day or residential school that provides secondary education as determined under State or tribal law.

Tribal college or university means an institution that--

(1) Qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a note); or

(2) Is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note).

Tribe means either a federally recognized tribe or a State-recognized tribe.

Program Authority: 20 U.S.C. 7453.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2

CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Further Continuing and Security Assistance Appropriations Act, 2017, would provide, on an annualized basis, \$5,554,421 for Indian Education National Activities, of which we would use an estimated \$1,100,000 for this NAL@ED competition.

The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2018 from the list of unfunded applications from this competition.

Estimated Range of Awards: \$125,000-\$300,000 per year.

Estimated Average Size of Awards: \$215,000 per year.

Maximum Award: We will reject any application that proposes a budget exceeding \$300,000 for a single budget period of 12 months.

Estimated Number of Awards: 4-8.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: The following entities, either alone or in a consortium, that have a plan to develop and maintain, or to improve and expand, programs that support the entity's use of a Native American or Alaska Native language as the primary language of instruction in one or more elementary or secondary schools (or both) are eligible under this program:

- (a) An Indian tribe.
- (b) A TCU.
- (c) A tribal educational agency.
- (d) An LEA, including a public charter school that is an LEA under State law.
- (e) A school operated by the BIE.
- (f) An Alaska Native Regional Corporation, as described in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g)).

(g) A tribal, Alaska Native, Native Hawaiian, or other nonprofit organization.

(h) A nontribal for-profit organization.

2. Cost Sharing or Matching: This program does not require cost sharing or matching.

3. Other: Projects funded under this competition are encouraged to budget for a two-day Project Directors' meeting in Washington, DC during each year of the project period.

IV. Application and Submission Information

1. Address to Request Application Package: You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address:

<http://www.ed.gov/fund/grant/apply/grantapps/index.html>.

To obtain a copy from ED Pubs, write, fax, or call the following: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1-877-433-7827. FAX: (703) 605-6794. If you use a TDD or a TTY, call, toll free: 1-877-576-7734.

You can contact ED Pubs at its Web site, also: www.EDPubs.gov or at its email address: edpubs@inet.ed.gov.

If you request an application from ED Pubs, be sure to identify this program or competition as follows: CFDA number 84.415B.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the person listed under Accessible Format in section VII of this notice.

2. Content and Form of Application Submission:

Requirements concerning the content and form of an application, together with the forms you must submit, are in the application package for this competition.

Notice of Intent to Apply: We will be able to develop a more efficient process for reviewing grant applications if we know the approximate number of applicants that intend to apply for funding under this competition. Therefore, we strongly encourage each potential applicant to notify us of the applicant's intent to submit an application by emailing OESE.NAL.ED2017@ed.gov with the subject line "Intent to Apply" and include in the content of the email the following information: (1) the applicant organization's name and address, and (2) the Native language on which the project would focus. Applicants that do not provide notice of their intent to apply may still submit an application.

Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you limit the application narrative to no more than 35 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The suggested page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, resumes, bibliography, or letters of support. However, the page limit does apply to all of the application narrative.

b. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for

the NAL@ED program, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. §552, as amended).

Consistent with the process followed from the Office of Indian Education discretionary grant competitions, we may post the project narrative section of funded NAL@ED program applications on the Department's Web site so you may wish to request confidentiality of business information. Identifying proprietary information in the submitted application will help facilitate this public disclosure process.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under "Other Attachments Form," please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. Submission Dates and Times:

Deadline for Notice of Intent to Apply: [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Date of Pre-Application Meeting: We intend to hold webinars to provide technical assistance to interested applicants. Detailed information regarding these meetings will be provided on the NAL@ED program Web site at <http://www2.ed.gov/about/offices/list/oese/oie/index.html>.

Deadline for Transmittal of Applications: [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to Other Submission Requirements in section IV of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under FOR FURTHER INFORMATION CONTACT. If the Department provides an accommodation or auxiliary aid to an individual

with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: [INSERT DATE 105 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

4. Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. Funding Restrictions: Not more than five percent of the funds provided to a grantee may be used for administrative costs (ESEA section 6133(g)). We reference regulations outlining other funding restrictions in the Applicable Regulations section of this notice.

6. Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management: To do business with the Department of Education, you must--

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: <http://fedgov.dnb.com/webform>. A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, Grants.gov.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at www.SAM.gov. To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: <http://www2.ed.gov/fund/grant/apply/sam-faqs.html>.

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page:
www.grants.gov/web/grants/register.html.

7. Other Submission Requirements: Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this

requirement in accordance with the instructions in this section.

a. Electronic Submission of Applications.

Applications for grants under the NAL@ED program, CFDA number 84.415B, must be submitted electronically using the Governmentwide Grants.gov Apply site at www.Grants.gov. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under Exception to Electronic Submission Requirement.

You may access the electronic grant application for NAL@ED program at www.Grants.gov. You must search for the downloadable application package for this program by the

CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.415 not 84.415B).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.

- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received--that is, date and time stamped by the Grants.gov system--after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your

Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at www.G5.gov. In addition, for specific guidance and procedures for submitting an application through Grants.gov, please refer to the Grants.gov Web site at: www.grants.gov/web/grants/applicants/apply-for-grants.html.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including all information you typically provide on the following forms: the Application for Federal Assistance

(SF 424), the Department of Education Supplemental Information for SF 424, Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- You must upload any narrative sections and all other attachments to your application as files in a read-only, flattened Portable Document Format (PDF), meaning any fillable PDF documents must be saved as flattened non-fillable files. Therefore, do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, flattened PDF (e.g., Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material. Please note that this could result in your application not being considered for funding because the material in question--for example, the application narrative--is critical to a meaningful review of your proposal. For that reason it is important to allow yourself adequate time to upload all material as PDF files. The Department will not convert material from other formats to PDF. There is no need to password protect a file in order to meet the requirement to submit a read-only, flattened PDF. And, as noted above, the Department will not review password-protected files.

- Your electronic application must comply with any page-limit requirements described in this notice.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. This notification indicates receipt by Grants.gov only, not receipt by the Department. Grants.gov will also notify you automatically by email if your application met all the Grants.gov validation requirements or if there were any errors (such as submission of your application by someone other than a registered Authorized Organization Representative, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of applications.

Once your application is successfully validated by Grants.gov, the Department will retrieve your application from Grants.gov and send you an email with a unique PR/Award number for your application.

These emails do not mean that your application is without any disqualifying errors. While your application may have been successfully validated by Grants.gov, it must also meet the Department's application requirements as

specified in this notice and in the application instructions. Disqualifying errors could include, for instance, failure to upload attachments in a read-only, non-modifiable PDF; failure to submit a required part of the application; or failure to meet applicant eligibility requirements. It is your responsibility to ensure that your submitted application has met all of the Department's requirements.

- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m. Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m. Washington, DC time, on the application deadline date, please contact the person listed under FOR FURTHER INFORMATION CONTACT and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. We will contact you after we determine whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because--

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system;

and

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: John Cheek, U.S. Department of Education, 400 Maryland Avenue, SW., room 3W207, Washington, DC 20202. FAX: (202) 401-0274.

Your paper application must be submitted in accordance with the mail or hand-delivery instructions described in this notice.

b. Submission of Paper Applications by Mail.

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.415B)
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

You must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.415B)
550 12th Street, SW.
Room 7039, Potomac Center Plaza
Washington, DC 20202-4260

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department--

(1) You must indicate on the envelope and--if not provided by the Department--in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

1. Selection Criteria: For the purposes of this competition, we are establishing selection criteria, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1). We are also using selection criteria for this competition from 34 CFR 75.210. The maximum score for all

of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses.

(a) Quality of the project design. (Up to 15 Points)

The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(2) The extent to which the project design will ensure that students progress toward high-level fluency goals in the Native language.

(3) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance.

(4) The extent to which the project includes a plan for data collection and reporting to track long-term student academic and other outcomes after the project is complete.

(b) Quality of project services. (Up to 20 Points)

The Secretary considers the quality of the services to be provided by the proposed project. In determining the

quality of the services to be provided by the proposed project, the Secretary considers the following factors:

(1) The quality of the plan for supporting Native American or Alaska Native language education and development by providing instruction of or through the Native language. (Up to 7 points)

(2) The extent to which the project will provide professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language proficiency and academic goals of the school(s) that will be served by the project, including cultural competence training to all staff in the school(s). (Up to 6 points)

(3) The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services. (Up to 4 points)

(4) The extent to which the percentage of the school(s) day that instruction will be provided in the Native language is ambitious and is reasonable for the grade level and population served. (Up to 3 points)

(c) Quality of project personnel. (Up to 10 Points)

The Secretary considers the quality of the personnel who will carry out the proposed project. In determining the quality of project personnel, the Secretary considers

the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

In addition, the Secretary considers the following factors:

(1) The extent to which teachers of the Native language are identified as staff for this project, have teaching experience, and **are fluent** in the Native language.

(2) The qualifications, including relevant training and experience, of key project personnel.

(3) The qualifications, including relevant training and experience, of project consultants or subcontractors.

(d) Adequacy of resources. (Up to 20 Points)

The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(1) The extent to which the applicant or a partner has experience in operating a Native language program. (Up to 10 points)

(2) The extent to which the costs of the project are reasonable in relation to the objectives, design, and

potential significance of the proposed project. (Up to 6 points)

(3) The potential for continued support of the project after Federal funding ends, including, as appropriate, the demonstrated commitment of appropriate entities to such support. (Up to 4 points)

(e) Quality of the management plan. (Up to 15 Points)

The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(f) Quality of the project evaluation. (Up to 20 Points)

The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining

the quality of the evaluation, the Secretary considers the following factors:

(1) The extent to which each proposed performance target is ambitious, yet achievable, compared to the baseline for each performance measure. (Up to 8 points)

(2) The quality of the applicant's plan to collect and report reliable, valid, and meaningful performance data, including the applicant's capacity to collect such data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research. (Up to 7 points)

(3) The extent to which the data collection and reporting methods the applicant would use to track long-term student academic outcomes after the project is complete are likely to yield reliable, valid, and meaningful performance data. (Up to 5 points)

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(2)(3), the rank order of the applications, any information relevant to a criterion, priority, or other requirement that applies to the selection of applications for new grants, the past performance of the applicant in carrying out a previous

award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions.

The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. Risk Assessment and Special Conditions:

Consistent with 2 CFR 200.205, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that

over the course of the project period may exceed the simplified acquisition threshold (currently \$150,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through SAM. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and

send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements:

We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial

information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

(c) Each grantee is required under section 6133 of the ESEA to submit annually to the Secretary information on the activities carried out with these grant funds, the number of children served by the project, and the number of instructional hours in the Native language.

(d) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

4. Performance Measures: Under the Government Performance and Results Act (GPRA), Federal departments and agencies must clearly describe the goals and objectives of programs, identify resources and actions needed to accomplish goals and objectives, develop a means of measuring progress made, and regularly report on achievement. One important source of program information

on successes and lessons learned is the project evaluation conducted under individual grants.

(a) Measures. The Department has identified the following GPRA performance measures for evaluating the overall effectiveness of the NAL@ED program:

Measure 1: The number and percentage of participating students who attain proficiency in a Native language, as determined by each grantee through pre- and post-assessments of Native language proficiency.

Measure 2: The number and percentage of participating students who make progress in learning a Native language, as determined by each grantee through pre- and post-assessments of Native language proficiency.

Measure 3: The number and percentage of participating students who show an improvement in academic outcomes, as measured by academic assessments or other indicators.

Measure 4: The difference between the average daily attendance of participating students and the average daily attendance of all students in the comparison group (e.g., school, LEA, tribe, or other).

(b) Baseline data. Applicants must provide baseline data for each of the GPRA performance measures listed in paragraph (a) and include why each proposed baseline is valid; or, if the applicant has determined that there are

no established baseline data for a particular performance measure, explain why there is no established baseline and explain how and when, during the project period, the applicant will establish a valid baseline for the performance measure.

(c) Performance measure targets. The applicant must propose in its application annual targets for the measures listed in paragraph (a). Applications must also include the following information as directed under 34 CFR 75.110(b) and (c):

(1) Why each proposed performance target is ambitious yet achievable compared to the baseline for the performance measure.

(2) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data.

(3) The data collection and reporting methods the applicant would use after the project is complete to track long-term student academic outcomes, and why those methods are likely to yield reliable, valid, and meaningful performance data.

(4) The applicant's capacity to collect and report reliable, valid, and meaningful performance data, as

evidenced by high-quality data collection, analysis, and reporting in other projects or research.

Note: If the applicant does not have experience with collecting and reporting performance data through other projects or research, the applicant should provide other evidence of capacity to successfully carry out data collection and reporting for its proposed project.

(d) Performance reports. All grantees must submit an annual performance report and final performance report with information that is responsive to these performance measures. The Department will consider this data in making annual continuation awards.

(e) Department evaluations. Consistent with 34 CFR 75.591, grantees funded under this program must comply with the requirements of any evaluation of the program conducted by the Department or an evaluator selected by the Department.

5. Continuation Awards: In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance

measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under For Further Information Contact in section VII of this notice.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at:

www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or PDF. To use

PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: May 1, 2017.

Jason Botel,
Acting Assistant Secretary for
Elementary and Secondary
Education.

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